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January 7, 2005

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FROM: John M. Carson, Esq.  
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## Applicant Initiated Interview Request Form

Application No.: 09/883,625 First Named Applicant: Jacob Joel Faul  
 Examiner: La Forgia Art Unit: 2131 Status of Application: pending

## Tentative Participants:

(1) John M. Carson (2) Christian La Forgia  
 (3) Emanuel Moise (4) \_\_\_\_\_

Proposed Date of Interview: 1/10/05 Proposed Time: 4:00 (AM/PM) (PM)

## Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO  
 If yes, provide brief description: \_\_\_\_\_

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1</u>	<u>Merkle</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>14, 17</u>	<u>Merkle</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej.</u>	<u>4, 5, 9, 10, 16, 19, 21, 23</u>	<u>Haber</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>Rej.</u>	<u>15, 18, 22</u>	<u>Haber</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

## Brief Description of Arguments to be Presented:

An interview was conducted on the above-identified application on \_\_\_\_\_.  
 NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).  
 This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Typed/Printed Name of Applicant or Representative

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## Applicant Initiated Interview Request Form

Application No.: 09/883,625  
Attorney Docket No.: CARDIFF.047A  
First Named Applicant: Jacob Joel Faul  
Examiner: Christian LaForgia  
Art Unit: 2131

### continuation of Issues to be Discussed

<u>Issues</u>	<u>Claims</u>	<u>Prior Art</u>	<u>Discussed</u>	<u>Agreed</u>	<u>Not Agreed</u>
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### continuation of Brief Description of Arguments to be Presented

#### Merkle reference

The Merkle patent is directed to a system for authenticating a hard copy of an original document. The original document is created by a sender or first party (see column 3, lines 50-53). As seen in Figure 1A, the Merkle system utilizes the entire original document when performing the signing algorithm.

Claim 1 - Claim 1 recites in part: "receiving transaction elements of the transaction; identifying at least a portion of the received transaction elements as selected elements; encrypting the selected elements ... printing at least a portion of the received transaction elements on a hard copy transaction certificate..."

Claim 1 recites identifying a portion of the received transaction elements as selected elements in contrast to the entire document being used in Merkle.

Furthermore, only the selected elements are encrypted rather than the entire document as in Merkle.

Moreover, the Merkle system does not create a new hard copy transaction certificate based on a portion of the received transaction elements in contrast to the recited act of printing at least a portion of the received transaction elements on a hard copy transaction certificate.

Claim 2 - In Claim 2, the transaction elements are entered by the vendee or second party and received by the vendor or first party from a vendee or second party, rather than being created by the first party as in Merkle.

Claim 14 - Claim 14 is similar to Claim 2 but only includes the acts performed by the vendee or second party. In particular, "transmitting transaction elements" is not done by Merkle's second party.

Claim 17 - The Merkle patent only describes two parties: the creator of the original document (user) and a third party user (a second party is not mentioned in Merkle). The third party user in Merkle is the receiver of the encrypted document, and does not refer to a party other than the vendee and vendor. Claim 17 recites "a third party authenticating a transaction conducted between a first party and a second party" and that the "declaring the transaction between a first party and a second party" is performed.

**Haber reference**

The Haber patent is directed to a system for time stamping a digital document whereby the secrecy of the document text is protected and a tamper-proof time seal establishes an author's claim to the temporal existence of the document. The document is not described as associated with or representing a transaction between a first party and a second party. A time-stamping agency (TSA), which can be considered the first party, receives from an author, which can be considered the second party, of a document either a hash number ( $H_k$ ) of the document or the plain text document to be hashed (see column 3, lines 52-57).

The patent only describes that the entire document is hashed. Once the document is hashed into a number, it is not useful for the transaction by either the first or second party, since the original document cannot be recovered from the hashed document (see column 3, lines 30-47 of Haber).

Claims 4, 9 and 21 - The Haber patent does not teach that the TSA identifies portion(s) of the document as selected elements and encrypts only the selected elements as recited in Claims 4, 9 and 21. These functions are not a part of the intended purpose of Haber, which is to securely time stamp the author's document.

Claims 5 and 10 - The examiner's cite of column 4, line 14 to teach dependent Claims 5 and 10 does not make sense since the cited text describes that the TSA (first party) generates a sequential receipt number ( $r_k$ ). In contrast Claims 5 and 10 recite that the second party enters transaction elements of the transaction.

Claim 18 - The Haber patent only describes two parties: the author and the TSA. Claim 18 recites "a third party authenticating a transaction conducted between a first party and a second party" and that the "declaring the transaction between a first party and a second party" is performed.

Claims 16, 19 and 23 - These claims recite two acts of decryption: one act of decrypting the received encrypted transaction certificate and another act of decrypting an encrypted code on the decrypted certificate. The Haber system does not need and does not use two levels of encryption/decryption since what is encrypted is a hash code.

Claims 15 and 22 - The "transmitting" and "retrieving" are not by the first party (author) in Haber.

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